

1IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 SE/S Bauernschmidt Drive, 40 * ZONING COMMISSIONER
 ft. NE of c/l Riverside Dr. * OF BALTIMORE COUNTY
 2415 Bauernschmidt Drive *
 15th Election District *
 2nd Councilmanic District *
 John J. Patterson, et ux * Case No. 96-222-A
 Petitioners *
 * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for the property located at 2415 Bauernschmidt Drive, within the Turkey Point section of eastern Baltimore County. The Petition is filed by John J. Patterson and Peggy Jo Patterson, property owners. Variance relief is requested from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to allow a lot width of 35 ft. in lieu of the minimum required 55 ft. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No., 1, the plat to accompany the Petition for Variance.

This matter was originally filed as an administrative variance, pursuant to Section 26-127 of the Baltimore County Code. That section permits the Zoning Commissioner to grant variance relief from the strict application of the provisions of the Baltimore County Zoning Regulations without a public hearing for certain owner occupied residential lots. In this request, a letter of concern was submitted signed by several surrounding property owners. Thus, pursuant to the provisions of Section 26-127 of the Code, a public hearing was convened to consider this matter.

Appearing at the requisite public hearing held for this case was the Petitioner, John J. Patterson. Also present was L.L. Gosnell, Jr., a neighboring property owner.

ORDER
 Date 3/29/96
 By M. D. [Signature]

MICROFILMED

The uncontradicted facts determined at that hearing were as follows:

Mr. and Mrs. Patterson own two adjoining lots in the subdivision known as Bauernschmidt. Those lots are shown on the plan as lots 31 and 32. As is the case with many of the older subdivision of Baltimore County, this community was laid out in 50 ft. wide lots, thus, the Patterson property in its entirety, is 100 ft. wide and 220 ft. deep. The property is zoned D.R.5.5 and improved with a one story single family dwelling. The dwelling is situated entirely on lot No. 32, however, the macadam driveway serving the dwelling is on lot No. 31.

Apparently, Mr. and Mrs. Patterson are desirous of selling their property. Their adjoining neighbors to the north are Mr. and Mrs. Wilmouth. Mr. and Mrs. Wilmouth own but a single lot, 50 ft. wide. Apparently, the Petitioners and their neighbors have discussed the possible conveyance of a portion of the Patterson property to the Wilmouths. Specifically, it is envisioned that the Pattersons will convey a strip 35 ft. wide and 220 ft. deep to Mr. and Mrs. Wilmouth. In effect, Mr. and Mrs. Patterson propose subdividing lot No. 31. If this conveyance is made, the Pattersons will retain a total property 65 ft. wide and 220 ft. deep; and the Wilmouths' property will become 85 ft. wide and 220 ft. deep. It is to be particularly noted that no additional construction or development is proposed. The 35 ft. wide portion of lot No. 31 to be transferred is only for the purpose of increasing the area of the Wilmouths side yard. As part of the bargain, Mr. and Mrs. Patterson will be able to sell their house in one transaction and the subject 35 ft. wide tract in another. Mr. Patterson believes that he will obtain a higher return than selling his current holdings in one piece.

Mr. Gosnell, in representing the neighborhood, has no objection for so long as the 35 ft. parcel is not utilized as a building lot. Obviously,

ORDER
Date 3/6/96
By [Signature]

RECORDED
INDEXED

from the neighbors' perspective, the relocation of the property line is meaningless, insofar as actual visual impact in the community. It is only if that lot is developed, is there a cause for concern.

In considering the case, I have no objection to Mr. and Mrs. Wilmouth increasing their lot and making their side yard bigger. Moreover, if Mr. and Mrs. Patterson can make more money by selling their land in two transactions, so be it. However, I share the concerns expressed by the neighborhood. The lot to be created should only be allowed if same is conveyed to the Wilmouths and made part and parcel of their property. The lot line adjustment should be permitted only if it is clear that the lot can never be used to support a single family dwelling or increase the density available to the subject tracts.

Thus, the Petition for Administrative Variance should be granted subject to that restriction. Actually, the requested relief is more akin to a Petition for Special Hearing seeking a lot line adjustment. It shall be granted in that context only.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of March, 1996 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to allow a lot width of 35 ft. in lieu of the minimum required 55 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible

ORDER RECEIVED FOR FILING

Date

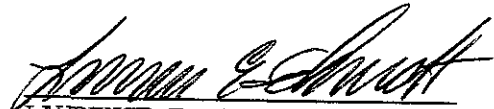
By

3/14/96
M. G. G. G.

7 105 3 10 1996

for returning, said property to its original condition.

2. The Petition for Variance is granted only to allow the Petitioners to subdivide lot No. 31 of the Bauernschmidt subdivision and convey a strip 35 ft. in width and 220 ft. in depth to the owner of lot No. 30. Thereafter, the property owners, within 120 days of the date of this decision, shall record in the Land Records of Baltimore County, the requisite deeds consistent with the provisions of this Order, namely, that the resultant property owned by the Petitioners is 65 ft. in width and 220 ft. in depth and that the neighboring property (combined lot No. 30 and part of lot No. 31) is 85 ft. wide and 220 ft. deep. Moreover, the relief granted herein is restricted and precludes the utilization of 35 ft. wide lot or parcel so designated to be utilized as a single family lot or in any manner other than a side yard as part and parcel of lot No. 30.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmnn

ORDER RECEIVED FOR FILING

Date

3/14/66

By



Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 14, 1996

Mr. and Mrs. John J. Patterson
2415 Bauernschmidt Drive
Baltimore, Maryland 21221

RE: Case No. 96-264-A
Petition for Zoning Variance
Property: 1458 Kent Road

Dear Mr. and Mrs. Patterson:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm

att.

c: Mr. L.L. Gosnell, Jr., 2414 Bauernschmidt Drive
Mr. and Mrs. Henry P. Brodt, 2408 Bauernschmidt Drive
Mr. James Still, 2410 Bauernschmidt Drive
Mr. William Hartje, 2412 Bauernschmidt Drive
Mr. Dayne Wilmouth, 2411 Bauernschmidt Drive

MICROFILMED

CRITICAL



Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County
for the property located at 2415 BAHNERSCHMIDT DR

96-222-A

which is presently zoned DR S.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1 BCZR

To allow a lot width of 35 ft. in lieu of the minimum required 55 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s)

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No

A Public Hearing having been requested and/or found to be required it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of ___, 19__ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

MD 643-2305 sign

Zoning Commissioner of Baltimore County

REVIEWED BY

DATE

11/29/95

ESTIMATED POSTING DATE

Printed with Soybean Ink on Recycled Paper

ITEM #: 225

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Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 2415 BARNER/SCHMIDT DR
address
BALTO MD 21221
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (indicate hardship or practical difficulty)

TO SELL AS SEPARATE LOT AS A
NONE BUILDABLE PROPERTY (LOT)

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

John J. Patterson
(signature)
JOHN J. PATTERSON
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21 day of Nov, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

JOHN J PATTERSON + Peggy Jo Patterson

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

11-21-95
date

John J. Patterson
NOTARY PUBLIC

My Commission Expires:

Aug 23, 1997

EXAMPLE 3 -- Zoning Description

3 COPIES 96-222-A

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 2415 BAUERNSCHMIDT DR
(address)

Beginning at a point on the SOUTHEAST side of
(north, south, east or west)
BAUERNSCHMIDT which is 40'
name of street on which property fronts (number of feet of right-of-way width)
wide at the distance of 40' NORTHEAST of the
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street RIVERSIDE DR
(name of street)
which is 40' wide. *Being Lot # 32 31
(number of feet of right-of-way width)
Block _____, Section # B in the subdivision of BAUERNSCHMIDT
(name of subdivision)
as recorded in Baltimore County Plat Book # 12, Folio # 81,
containing 1/2. Also known as 2415 BAUERNSCHMIDT
(square feet or acres) (property address)
and located in the 15th Election District, 2 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber __, Folio __" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

~~224~~ 225

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-772 -A

District: 15th Date of Posting: 12/18/95

Posted for: Varino

Petitioner: John F. & Peggy E. Patterson

Location of property: 2915 Bakersfield Dr

Location of Sign: Entry Roadway on Property by Kirby Zone &

Remarks: _____

Posted by: [Signature] Date of return: 12/18/95

Number of Signs: 1

MICROFILMED

NOTICE OF HEARING

The Zoning Administrator of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, 111 W. Chesapeake Avenue, in Towson, Maryland 21284 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21284 as follows:

Case #08-222-A
(Item 228)
2415 Baufrischmidt Drive
SE/S Baufrischmidt Drive,
40' NE of 67th/Riverside Drive
15th Election District
2nd Councilmanic
Legal Owner(s):
John J. Paterson and
Peggy Jo Paterson

Variance: to allow a lot width of 35 feet in lieu of the minimum required 65 feet.
Hearing: Thursday, February 22, 1996 at 9:00 a.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3351.

2/029 Feb 1 C29227

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/2, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/1, 1996.

THE JEFFERSONIAN,

A. H. Erickson
LEGAL AD. - TOWSON

~~Publication~~

APPROVED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

00,000

DATE 11/29/75 ACCOUNT R-001-015 000

96-222-A AMOUNT \$ 25.00

RECEIVED FROM: PATTERSON

010 VARIANCE .. \$50 - ITEM # 225

040 SIGN 35 - TAKEN - JRF

FOR: _____

[Handwritten Signature]

25
RECORDED & INDEXED 185.00
BY: [unclear] 11/29/75

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
 Department of Permits and
 Development Management

Development Processing
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

 ARNOLD JABLON, DIRECTOR

 For newspaper advertising:

Item No.: ~~225~~ 225 Petitioner: JOHN & PEGGY PATTERSON
 Location: 2415 BAUERNSCHMIDT DR. 21221

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JOHN PATTERSON
 ADDRESS: 2415 BAUERNSCHMIDT DR.
BALTO MD 21221
 PHONE NUMBER: 391 3202

[Handwritten signature]

Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book# _____, folio# _____, lot# _____, section# _____

OWNER: _____



North

date: _____
prepared by: _____

Scale of Drawing: 1" = _____



Vicinity Map
North
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____ acreage _____ square feet

public private
SEWER:
WATER:
Chesapeake Bay Critical Area: YES NO
Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 8, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-222-A (Item 225)
2415 Bauernschmidt Drive
SE/S Bauernschmidt Drive, 40' NE of c/l Riverside Drive
15th Election District - 2nd Councilmanic
Legal Owner: John J. Patterson and Peggy Jo Patterson

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before December 10, 1995. The closing date (December 26, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: John J. Patterson and Peggy Jo Patterson

MICROFILMED

TO: PUFFEXENT PUBLISHING COMPANY
February 1, 1996 Issue - Jeffersonian

Please forward billing to:

John J. Patterson
2415 Bauernschmidt Drive
Baltimore, MD 21221
391-3202

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-222-A (Item 225)
2415 Bauernschmidt Drive
SE/S Bauernschmidt Drive, 40' NE of c/l Riverside Drive
15th Election District - 2nd Councilmanic
Legal Owner: John J. Patterson and Peggy Jo Patterson

Variance to allow a lot width of 35 feet in lieu of the minimum required 55 feet.

HEARING: THURSDAY, FEBRUARY 22, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

January 29, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-222-A (Item 225)
2415 Bauernschmidt Drive
SE/S Bauernschmidt Drive, 40' NE of c/l Riverside Drive
15th Election District - 2nd Councilmanic
Legal Owner: John J. Patterson and Peggy Jo Patterson

Variance to allow a lot width of 35 feet in lieu of the minimum required 55 feet.

HEARING: THURSDAY, FEBRUARY 22, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: John and Peggy Patterson

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 18, 1995

Mr. and Mrs. John Patterson
2415 Bauernschmidt Drive
Baltimore, MD 21221

RE: Item No.: 225
Case No.: 96-222-A
Petitioner: J. Patterson, et ux

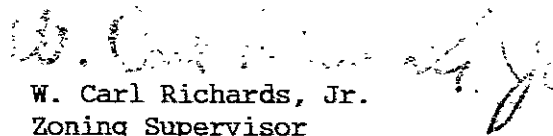
Dear Mr. and Mrs. Patterson:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on November 29, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: December 11, 1995

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 217, 218, 219, 220, 223, (225) and 230

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Pat Keller

PK/JL

MICROFILMED



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

12-7-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 225 (JRF)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ~~ZADM~~ - PDM - Joyce Watson DATE: 12/12/95
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 11/27/95 and 12/11/95
12/4/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

- | | | | |
|-----------|-----------------|-----------------|-----|
| | <u>11/27/95</u> | <u>12/11/95</u> | |
| Item #'s: | 205 | 220 thru 231 | 225 |
| | 207 | and | |
| | 209 | Rev. # 195 | |
| | 213 | | |
| | 214 | | |
| | <u>12/4/95</u> | | |
| | 215 | | |
| | 217 | | |
| | 218 | | |
| | 219 | | |

LS:sp

LETTY2/DEPRM/TXTSBP

MICROFILMED

8 copies

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 12/07/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

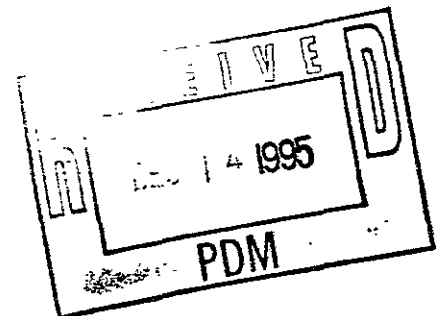
LOCATION: DISTRIBUTION MEETING OF DEC. 11, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 220, 221, 222, 223, 225,
226, 228, 229 AND 230.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

PETITION PROBLEMS

#221 — RT

1. Notary section is incomplete.

#222 — JRA

1. Item number not on all papers in folder.
2. Petition form says zoning is "BM"; folder says "BM/MLR" – Which is correct?
3. Need printed name of person signing for legal owner and authorization.

#225 — JRF

1. No hardship or practical difficulty on front of petition form.
2. Folder not marked "critical area".
3. Notary section is incorrect - only one signature on back of petition form.

#227 — JCM

1. Folder not marked "critical area".

#228 — JRA

1. Item number not on all papers in folder.
2. Need authorization for person signing for legal owner.
3. Receipt not given to petitioner/attorney - still in folder.

#229 — JJS

1. Notary section is incomplete.

#230 — JJS

1. No telephone number for legal owner.
2. No location description, zoning, acreage, election or councilmanic districts on folder.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

February 27, 1996

(410) 887-4386

Mr. and Mrs. John J. Patterson
2415 Bauernschmidt Drive
Baltimore, Maryland 21221

RE: Petition for Variance
Case No. 96-222-A
Property: 2415 Bauernschmidt Drive
Hearing date: February 22, 1996 - 9:00 A.M. in Room 118

Dear Mr. and Mrs. Patterson:

This letter will confirm the telephone conversation on Monday, February 26, 1996 when you called to apologize for not attending your previously scheduled hearing on February 22 at 9:00 A.M. You mentioned that you were out of town, due to illness in the family, and was not aware that your case was set in on that date.

Please be advised that the above captioned case has been reset for public hearing on Monday, March 4, 1996 at 3:00 P.M. in Room 118 of the Old Court House, 400 Washington Avenue in Towson. This date has been confirmed by telephone to you on February 27.

By a copy of this letter, I have notified the below listed persons who may have an interest in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm

c: Mr. L.L. Gosnell, Jr., 2414 Bauernschmidt Drive
Mr. and Mrs. Henry P. Brodt, 2408 Bauernschmidt Drive
Mr. James Still, 2410 Bauernschmidt Drive
Mr. William Hartje, 2412 Bauernschmidt Drive
Mr. Dayne Wilmoth, 2411 Bauernschmidt Drive

MICROFILMED



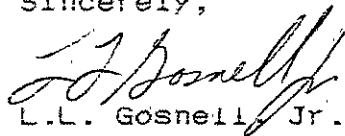
December 13, 1995

Zoning Commissioner
Lawrence Schmidt
Old Court House
400 Washington Avenue
Towson, Maryland 21204

RE: Case # 96-222-A
2415 Bauernschmidt Drive

If this is a variance to allow a 35 foot wide building lot, I and the undersign are interested in protesting this. However, if the variance is for a 35 foot non-building lot then we are not interested in protesting. I live directly opposite the property in question, at 2414 Bauernschmidt Drive.

Sincerely,


L.L. Gosnell Jr. 2414

NAME

ADDRESS

<i>Henry P. Brodt</i>	2408 Bauernschmidt DR
<i>Margaret K. Brodt</i>	2408 Bauernschmidt DR
<i>[Signature]</i>	2411 Bauernschmidt DR
<i>James P. [Signature]</i>	2410 Bauernschmidt Dr.
<i>William G. Hanyc</i>	2412 Bauernschmidt DR

PETITIONER(S) EXHIBIT ()



FRONT VIEW OF BAUERNSCHMIDT DR. 2415
LOT TO THE RIGHT

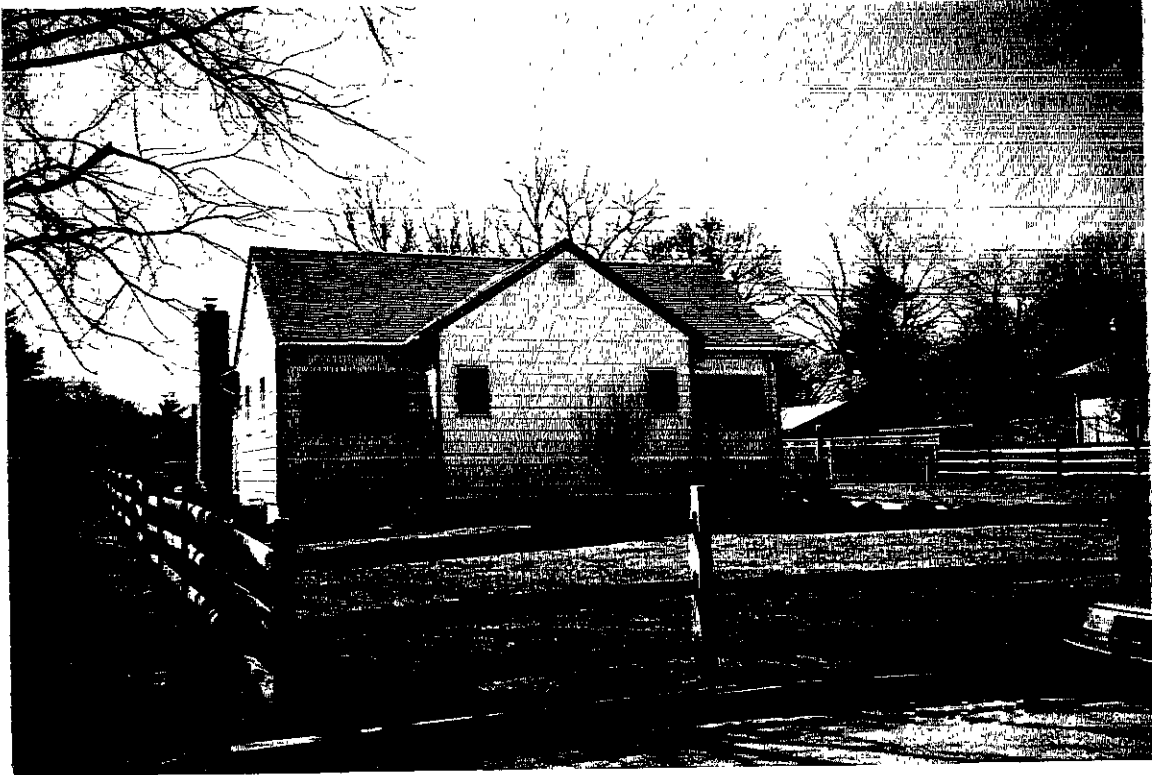


2415 BAUERNSCHMIDT DR. SIDE LOT

225

UNRECORDED

PETITIONER(S) EXHIBIT ()



FRONT YARD OF PROPERTY 2415 BAUERNSCHMIDT DR



#225

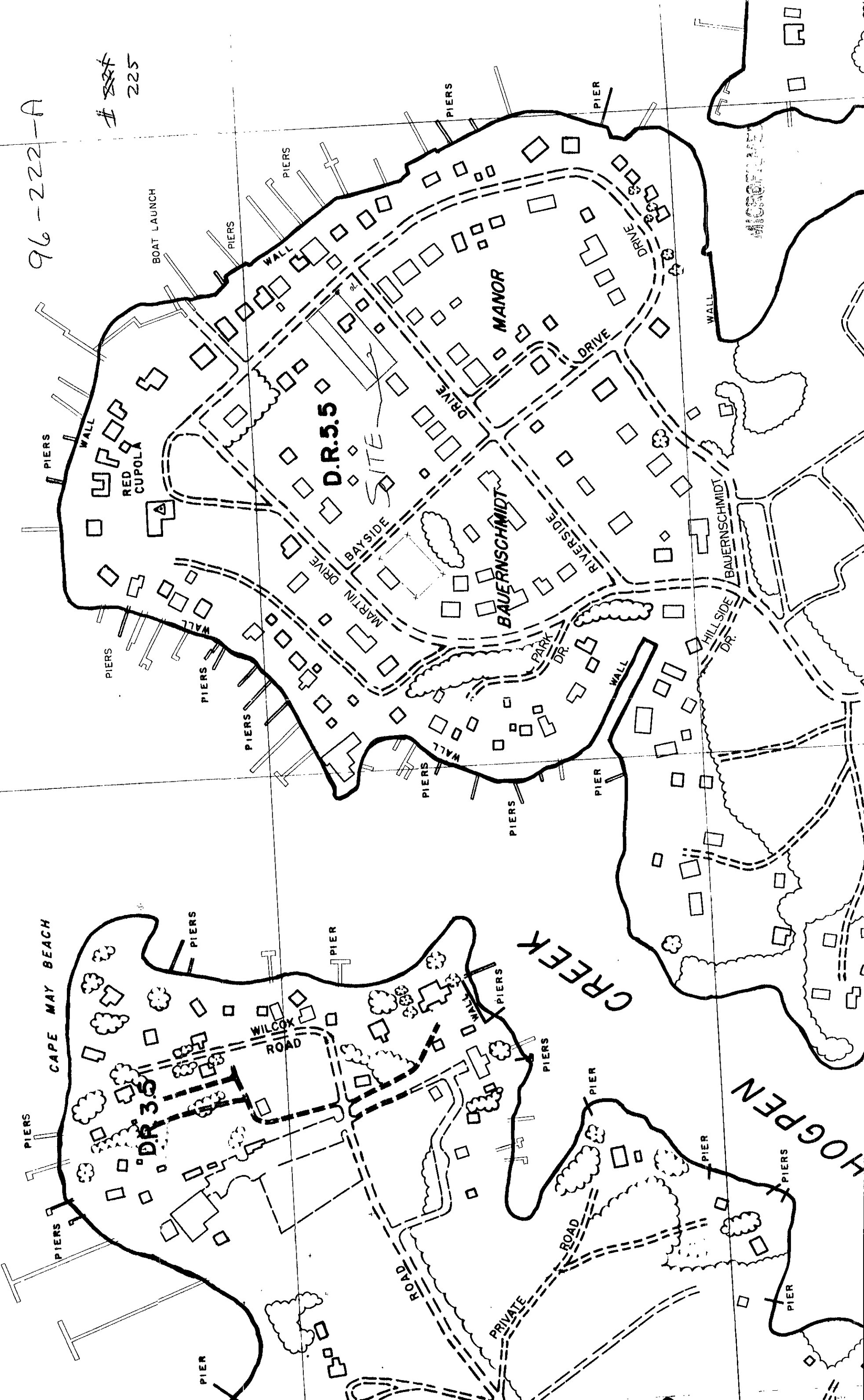
MICROFILMED

FRONT YARD SIDE VIEW OF HOUSE
AND DRIVEWAY 2415 BAUERNSCHMIDT DR

NE 1-J
1"=200'

96-222-A

~~224~~ 225



1IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
SE/S Bauernschmidt Drive, 40 * ZONING COMMISSIONER
ft. NE of c/1 Riverside Dr. * OF BALTIMORE COUNTY
2415 Bauernschmidt Drive
15th Election District * Case No. 96-222-A
2nd Councilmanic District *
John J. Patterson, et ux *
Petitioners * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for the property located at 2415 Bauernschmidt Drive, within the Turkey Point section of eastern Baltimore County. The Petition is filed by John J. Patterson and Peggy Jo Patterson, property owners. Variance relief is requested from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to allow a lot width of 35 ft. in lieu of the minimum required 55 ft. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

This matter was originally filed as an administrative variance, pursuant to Section 26-127 of the Baltimore County Code. That section permits the Zoning Commissioner to grant variance relief from the strict application of the provisions of the Baltimore County Zoning Regulations without a public hearing for certain owner occupied residential lots. In this request, a letter of concern was submitted signed by several surrounding property owners. Thus, pursuant to the provisions of Section 26-127 of the Code, a public hearing was convened to consider this matter.

Appearing at the requisite public hearing held for this case was the Petitioner, John J. Patterson. Also present was L.L. Gosnell, Jr., a neighboring property owner.

The uncontradicted facts determined at that hearing were as follows:
Mr. and Mrs. Patterson own two adjoining lots in the subdivision known as Bauernschmidt. Those lots are shown on the plan as lots 31 and 32. As is the case with many of the older subdivisions of Baltimore County, this community was laid out in 50 ft. wide lots, thus, the Patterson property in its entirety, is 100 ft. wide and 220 ft. deep. The property is zoned D.R.5.5 and improved with a one story single family dwelling. The dwelling is situated entirely on lot No. 32, however, the macadam driveway serving the dwelling is on lot No. 31.

Apparently, Mr. and Mrs. Patterson are desirous of selling their property. Their adjoining neighbors to the north are Mr. and Mrs. Wilmouth. Mr. and Mrs. Wilmouth own but a single lot, 50 ft. wide. Apparently, the Petitioners and their neighbors have discussed the possible conveyance of a portion of the Patterson property to the Wilmouths. Specifically, it is envisioned that the Pattersons will convey a strip 35 ft. wide and 220 ft. deep to Mr. and Mrs. Wilmouth. In effect, Mr. and Mrs. Patterson propose subdividing lot No. 31. If this conveyance is made, the Pattersons will retain a total property 65 ft. wide and 220 ft. deep; and the Wilmouths' property will become 85 ft. wide and 220 ft. deep. It is to be particularly noted that no additional construction or development is proposed. The 35 ft. wide portion of lot No. 31 to be transferred is only for the purpose of increasing the area of the Wilmouths side yard. As part of the bargain, Mr. and Mrs. Patterson will be able to sell their house in one transaction and the subject 35 ft. wide tract in another. Mr. Patterson believes that he will obtain a higher return than selling his current holdings in one piece.

Mr. Gosnell, in representing the neighborhood, has no objection for so long as the 35 ft. parcel is not utilized as a building lot. Obviously,

from the neighbors' perspective, the relocation of the property line is meaningless, insofar as actual visual impact in the community. It is only if that lot is developed, is there a cause for concern.

In considering the case, I have no objection to Mr. and Mrs. Wilmouth increasing their lot and making their side yard bigger. Moreover, if Mr. and Mrs. Patterson can make more money by selling their land in two transactions, so be it. However, I share the concerns expressed by the neighborhood. The lot to be created should only be allowed if same is conveyed to the Wilmouths and made part and parcel of their property. The lot line adjustment should be permitted only if it is clear that the lot can never be used to support a single family dwelling or increase the density available to the subject tracts.

Thus, the Petition for Administrative Variance should be granted subject to that restriction. Actually, the requested relief is more akin to a Petition for Special Hearing seeking a lot line adjustment. It shall be granted in that context only.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of March, 1996 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to allow a lot width of 35 ft. in lieu of the minimum required 55 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible

for returning, said property to its original condition.

2. The Petition for Variance is granted only to allow the Petitioners to subdivide lot No. 31 of the Bauernschmidt subdivision and convey a strip 35 ft. in width and 220 ft. in depth to the owner of lot No. 30. Thereafter, the property owners, within 120 days of the date of this decision, shall record in the Land Records of Baltimore County, the requisite deeds consistent with the provisions of this Order, namely, that the resultant property owned by the Petitioners is 65 ft. in width and 220 ft. in depth and that the neighboring property (combined lot No. 30 and part of lot No. 31) is 85 ft. wide and 220 ft. deep. Moreover, the relief granted herein is restricted and precludes the utilization of 35 ft. wide lot or parcel so designated to be utilized as a single family lot or in any manner other than a side yard as part and parcel of lot No. 30.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/zmm

ORDER RECEIVED FOR FILING
Date 3/14/96
By M. J. [unclear]

ORDER RECEIVED FOR FILING
Date 3/14/96
By M. J. [unclear]

ORDER RECEIVED FOR FILING
Date 3/14/96
By M. J. [unclear]

ORDER RECEIVED FOR FILING
Date 3/14/96
By M. J. [unclear]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 14, 1996

Mr. and Mrs. John J. Patterson
2415 Bauernschmidt Drive
Baltimore, Maryland 21221

RE: Case No. 96-264-A
Petition for Zoning Variance
Property: 1458 Kent Road

Dear Mr. and Mrs. Patterson:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,
Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:zmm
att.
Mr. L.L. Gosnell, Jr., 2414 Bauernschmidt Drive
Mr. and Mrs. Henry P. Bratz, 2408 Bauernschmidt Drive
Mr. James Still, 2410 Bauernschmidt Drive
Mr. William Hartje, 2412 Bauernschmidt Drive
Mr. Dayne Wilmouth, 2411 Bauernschmidt Drive

CRITICAL
Petition for Administrative Variance
96-222-A
to the Zoning Commissioner of Baltimore County
for the property located at 2415 BAUERNSCHMIDT DR
which is presently zoned DLR.5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1 BCZR

To allow a lot width of 35 ft. in lieu of the minimum required 55 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/lessee
Type or Print Name: JOHN J. PATTERSON
Signature: *John J. Patterson*
Address: 2415 BAUERNSCHMIDT DR
City: BALTIMORE State: MD Zipcode: 21221
Attorney for Petitioner
Type or Print Name: PEGGY JO PATTERSON
Signature: *Peggy Jo Patterson*
Address: 2415 BAUERNSCHMIDT DR
City: BALTIMORE State: MD Zipcode: 21221
Name, Address and phone number of representative, if so contacted:
JOHN & PEGGY PATTERSON
2415 BAUERNSCHMIDT DR
BALTIMORE 450-2230

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 14th day of March, 1996, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, and that the property be rezoned.

REVIEWED BY: *[Signature]* DATE: 11/22/95
ITEM #: 225

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/are presently reside at 2415 BAUERNSCHMIDT DR.
BALTIMORE MD 21221

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (include hardship or practical difficulty)

TO SELL AS SEPARATE LOT AS A NONE BUILDABLE PROPERTY (LOT)

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

John J. Patterson
Peggy Jo Patterson
JOHN J. PATTERSON
Type or Print Name

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:
I HEREBY CERTIFY, this 14th day of March, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared JOHN J. PATTERSON & PEGGY JO PATTERSON

the Affiant(s) herein, personally known to and satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

WITNESS my hand and Notarial Seal.
Date: Aug 23, 1997
My Commission Expires: Aug 23, 1997

EXAMPLE 3 - Zoning Description

3 COPIES 96-222-A

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 2415 BAUERNSCHMIDT DR
(address)

Beginning at a point on the SOUTH EAST side of
(north, south, east or west)
BAUERNSCHMIDT which is 40'
name of street on which property fronts) (number of feet of right-of-way width)
wide at the distance of 40' NORTHEAST of the
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street RIVERSIDE DR
(name of street)
which is 40' wide, "Being Lot # 32 31"
(number of feet of right-of-way width)
Block B Section B in the subdivision of BAUERNSCHMIDT
(name of subdivision)
as recorded in Baltimore County Plat Book # 12, Folio # 81
containing 1/2 Also known as 2415 BAUERNSCHMIDT
(square feet or acres) (property address)
and located in the 15th Election District, 2 Councilmanic District.

If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Lib. # Folio # and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87° 12' 13" E. 321.1 ft., S. 18° 03' E. 87.2 ft., S. 62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

224 225

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

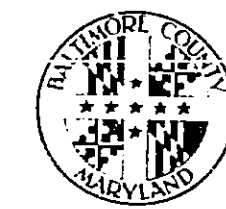
District: 154 Date of Posting: 1/18/95
Posted for: Variance
Petitioner: John J. & Peggy Jo Patterson
Location of property: 2415 Bauernschmidt Drive
Location of Sign: 111 W. Chesapeake Avenue, Towson, Md.
Remarks:
Posted by: [Signature] Date of return: 1/18/95
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 011148
DATE: 1/18/95 ACCOUNT: R-001-015 000
96-222-A AMOUNT: \$ 25.00
RECEIVED FROM: PATTERSON
FROM: 010 VARIANCE - \$50 - ITEM # 225
040 SIGN - \$35 TAKEN BY JRF
FOR: 05
01A00#0073H1CHR \$85.00
0A 001011AM11-29-95
VALIDATION ON SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/2, 1996
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/1, 1996.

THE JEFFERSONIAN,
A. Henikson
LEGAL AD. - TOWSON



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 225 Petitioner: John & Peggy Patterson
Location: 2415 BAUERNSCHMIDT DR. 21221
PLEASE FORWARD ADVERTISING BILL TO:
NAME: JOHN PATTERSON
ADDRESS: 2415 BAUERNSCHMIDT DR.
BALTO MD 21221
PHONE NUMBER: 391 3202



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 8, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-222-A (Item 225)
2415 Bauernschmidt Drive
SE/S Bauernschmidt Drive, 40' NE of c/l Riverside Drive
15th Election District - 2nd Councilmanic
Legal Owner: John J. Patterson and Peggy Jo Patterson

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before December 10, 1995. The closing date (December 26, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the writer be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: John J. Patterson and Peggy Jo Patterson

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:
Case #96-222-A
Item 225
2415 Bauernschmidt Drive
SE/S Bauernschmidt Drive, 40' NE of c/l Riverside Drive
15th Election District - 2nd Councilmanic
Legal Owner: John J. Patterson and Peggy Jo Patterson
Variance to allow a lot width of 35 feet in lieu of the minimum required 55 feet.
Hearing: Thursday, February 22, 1996 at 9:00 a.m. in Room 118, Old Courthouse.
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are handicapped accessible. For special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3391.
887-3391 887-3391

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/2, 1996
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/1, 1996.

THE JEFFERSONIAN,
A. Henikson
LEGAL AD. - TOWSON

TO: POTOMAC PUBLISHING COMPANY
February 1, 1996 Issue - Jeffersonian
Please forward billing to:
John J. Patterson
2415 Bauernschmidt Drive
Baltimore, MD 21221
391-3202

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-222-A (Item 225)
2415 Bauernschmidt Drive
SE/S Bauernschmidt Drive, 40' NE of c/l Riverside Drive
15th Election District - 2nd Councilmanic
Legal Owner: John J. Patterson and Peggy Jo Patterson
Variance to allow a lot width of 35 feet in lieu of the minimum required 55 feet.
HEARING: THURSDAY, FEBRUARY 22, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY
NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

January 29, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-222-A (Item 225)
2415 Bauernschmidt Drive
SE/S Bauernschmidt Drive, 40' NE of c/l Riverside Drive
15th Election District - 2nd Councilmanic
Legal Owner: John J. Patterson and Peggy Jo Patterson
Variance to allow a lot width of 35 feet in lieu of the minimum required 55 feet.
HEARING: THURSDAY, FEBRUARY 22, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: John and Peggy Patterson

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 18, 1995

Mr. and Mrs. John Patterson
2415 Bauernschmidt Drive
Baltimore, MD 21221

RE: Item No.: 225
Case No.: 96-222-A
Petitioner: J. Patterson, et ux

Dear Mr. and Mrs. Patterson:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on November 29, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: December 11, 1995

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 217, 218, 219, 220, 223, (225) and 230

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long
Division Chief: Carol Kern

PK/JL

ITEM217/PZONE/ZAC1

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 225 (JRF)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM - Joyce Watson

DATE: 12/12/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 11/27/95 and 12/11/95
12/14/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

11/27/95	12/11/95	225
Item #s: 205	220 thru 231	
207	and	
209	Rev. #195	
213		
214		

12/14/95

215

217

218

219

LS:sp

LETY2/DEPRM/TXTSPB

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 12/07/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

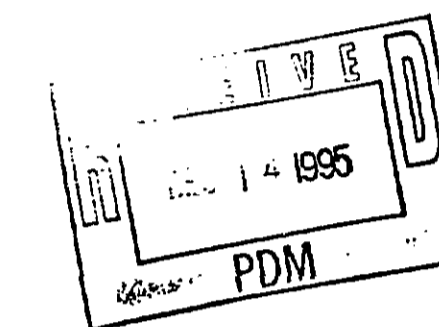
LOCATION: DISTRIBUTION MEETING OF DEC. 11, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 220, 221, 222, 223, 225, 226, 228, 229 AND 230.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

PETITION PROBLEMS

#221 - RT

- Notary section is incomplete.

#222 - JRA

- Item number not on all papers in folder.
- Petition form says zoning is "BM", folder says "DM/MLR" - Which is correct?
- Need printed name of person signing for legal owner and authorization.

#225 - JRF

- No hardship or practical difficulty on front of petition form.
- Folder not marked "critical area"
- Notary section is incorrect - only one signature on back of petition form.

#227 - JCM

- Folder not marked "critical area".

#228 - JRA

- Item number not on all papers in folder.
- Need authorization for person signing for legal owner.
- Receipt not given to petitioner/attorney - still in folder.

#229 - JJS

- Notary section is incomplete.

#230 - JJS

- No telephone number for legal owner.
- No location description, zoning, acreage, election or councilmanic districts on folder.

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

February 27, 1996

(410) 887-4386

Mr. and Mrs. John J. Patterson
2415 Bauernschmidt Drive
Baltimore, Maryland 21221

RE: Petition for Variance
Case No. 96-222-A
Property: 2415 Bauernschmidt Drive
Hearing date: February 22, 1996 - 9:00 A.M. in Room 118

Dear Mr. and Mrs. Patterson:

This letter will confirm the telephone conversation on Monday, February 26, 1996 when you called to apologize for not attending your previously scheduled hearing on February 22 at 9:00 A.M. You mentioned that you were out of town, due to illness in the family, and was not aware that your case was set in on that date.

Please be advised that the above captioned case has been reset for public hearing on Monday, March 4, 1996 at 3:00 P.M. in Room 118 of the Old Court House, 400 Washington Avenue in Towson. This date has been confirmed by telephone to you on February 27.

By a copy of this letter, I have notified the below listed persons who may have an interest in this matter.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mn

cc: Mr. L.L. Gosnell, Jr., 2414 Bauernschmidt Drive
Mr. and Mrs. Henry P. Brock, 2408 Bauernschmidt Drive
Mr. James Still, 2410 Bauernschmidt Drive
Mr. William Hartje, 2412 Bauernschmidt Drive
Mr. Dayne Wilmoth, 2411 Bauernschmidt Drive

December 13, 1995

Zoning Commissioner
Lawrence Schmidt
Old Court House
400 Washington Avenue
Towson, Maryland 21204

RE: Case # 96-222-A
2415 Bauernschmidt Drive

If this is a variance to allow a 35 foot wide building lot, I and the undersign are interested in protesting this. However, if the variance is for a 35 foot non-building lot then we are not interested in protesting. I live directly opposite the property in question, at 2414 Bauernschmidt Drive.

Sincerely,

L.L. Gosnell, Jr.
L.L. Gosnell, Jr. 2414

NAME

ADDRESS

<i>Henry P. Brock</i>	2408 Bauernschmidt Dr
<i>James Still</i>	2410 Bauernschmidt Dr
<i>William Hartje</i>	2412 Bauernschmidt Dr
<i>Dayne Wilmoth</i>	2411 Bauernschmidt Dr

Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 2415 BAUERNSCHMIDT DR

Subdivision name: BAUERNSCHMIDT

Plat book # 12, folio 21, lot 23, section B

OWNER: JOHN S. PELBY PATTERSON

PROPOSED LOT LINE ADJUSTMENT 33' x 230'

LOCATION INFORMATION

Election District: 15 22

Councilmatic District: 2

1"-200' scale map: NE J 1

Zoning: DR 5-5 (LOT # 31)

Lot size: 0.77 Ac. 7,777.5 sq. ft.

SEWER:

WATER:

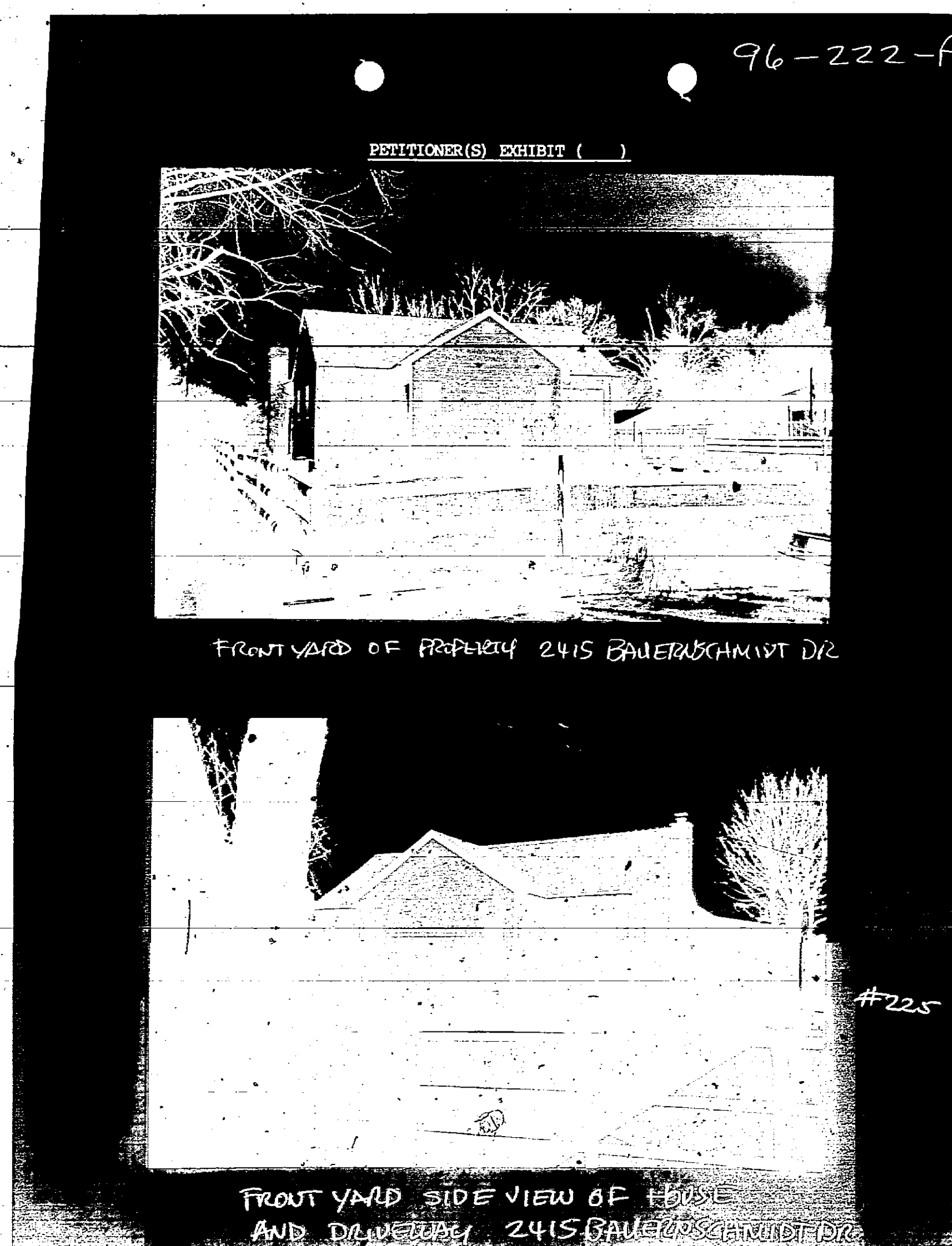
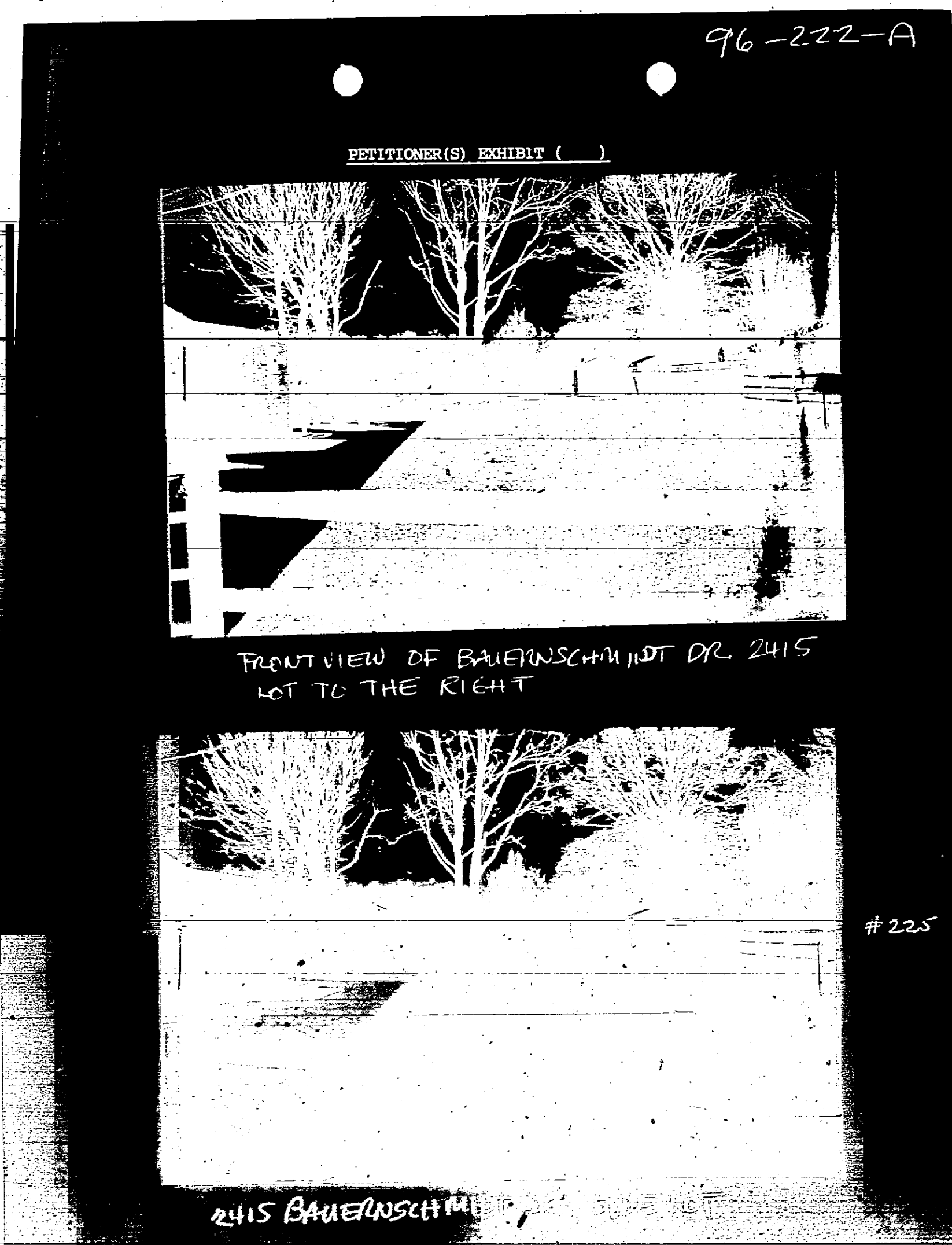
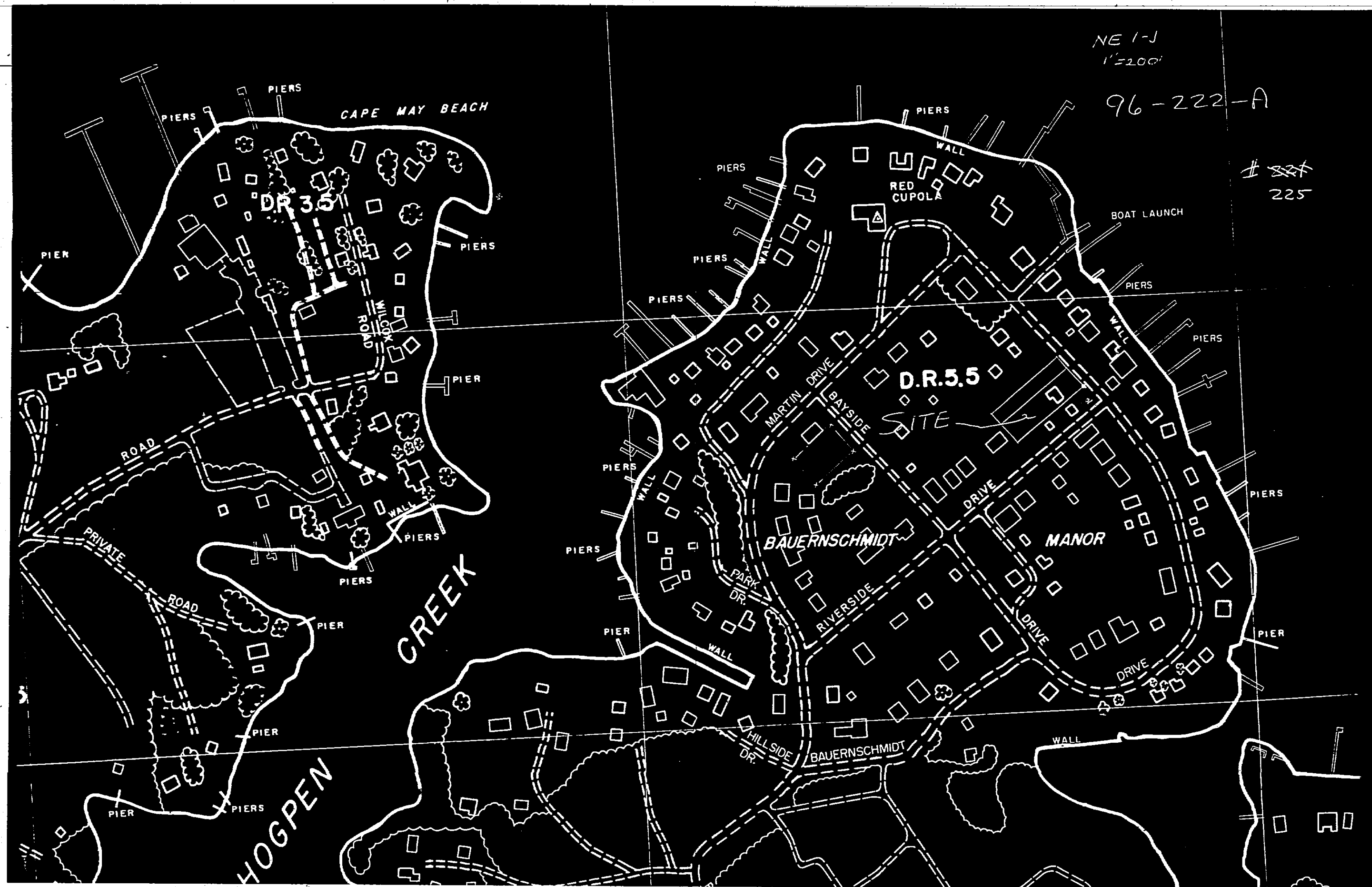
Chesapeake Bay Critical Area:

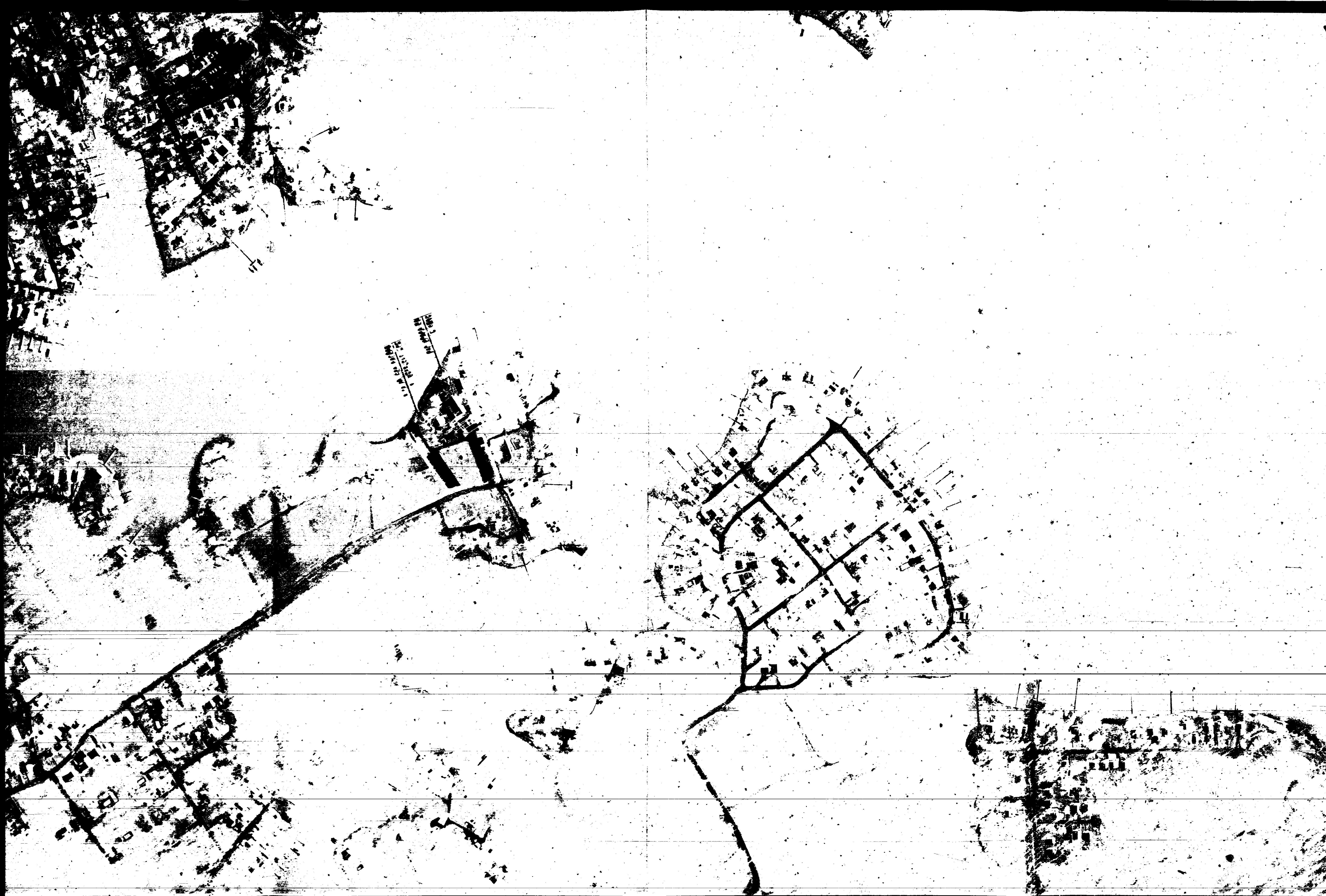
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM # 225 CASE #

date: 11/30/95 prepared by: J. Anderson Scale of Drawing: 1" = 50'





BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 PHOTOGRAPHIC MAP

854
 225

PREPARED BY AIR PHOTOGRAPHICS, INC.
 MARTINSBURG, W. V. 25401

SCALE 1" = 200' ±	LOCATION BACK RIVER NECK CAPE MAY	SHEET N. E. 1-J
DATE OF PHOTOGRAPHY JANUARY 1986		

96-222-A